

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 13
)	
CALVIN EUGENE JONES,)	CASE NO. 17-70586-pmb
)	
Debtor.)	

CERTIFICATE OF SERVICE

I hereby certify that I am more than 18 years of age and that I have this day served a copy of the within Motion to Modify Plan and Notice of Hearing upon the following by depositing a copy of the same in U.S. Mail with sufficient postage affixed thereon to ensure delivery:

[See attached Creditor Mailing Matrix]

I further certify that, by agreement of parties, Melissa Davey, Standing Chapter 13 Trustee, was served via the ECF electronic mail/noticing system.

Dated: April 9, 2019

/s/

Craig Black
GA Bar No.: 137410
The Craig Black Law Firm, LLC
5555 Glenridge Connector
Suite 200
Atlanta, GA 30348
678-888-1778
Attorney for the Debtor

**UNITED STATES BANKRUPTCY COURT
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ATLANTA DIVISION**

IN RE:)	CHAPTER 13
)	
CALVIN EUGENE JONES,)	CASE NO. 17-70586-pmb
)	
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**MOTION TO MODIFY PLAN TO INCLUDE POST-PETITION MORTGAGE
PAYMENTS AND INCREASE PAYMENT**

COMES NOW Debtor, CALVIN EUGENE JONES, by and through under-signed counsel, and respectfully requests for her Chapter 13 plan be modified to include the current post petition default owed to Nationstar Mortgage LLC dba Mr. Cooper, and shows the Court as follows:

1. This case was commenced on November 28, 2017 by the filing of a Voluntary Petition for relief in bankruptcy under Chapter 13 Title 11 of the United States Code.
2. Debtor's Plan was confirmed on July 12, 2018 with the Debtor contributing a plan payment of \$450.00 per month and a repayment of 0% to general unsecured creditors.
3. That debtor fell behind on post-petition mortgage payments due to loss of employment.
4. That Debtor has obtained new employment. (see attached I and J)
5. US Bank has an allowed secured claim in the amount of \$2778.03 (claim #5).
6. The approximate post-petition default owed to Nationstar Mortgage LLC dba Mr. Cooper is \$6,858.33.
7. That debtor requests the court to allow the post-petition mortgage payments to be added to the plan per Section 6(B) . In re Hoggle, 12 F.3d 1208 (1994).
8. That allowing the debtor to include the post-petition default will not cause a term problem with the chapter 13 as the debtor request his payment in Section 2 of the plan be modified to \$675.00 per month.
9. That allowing the debtor to include the post -petition default is not prejudicial as the property has equity.

10. That the debtor requests the modification under §1329 bind the creditor under §1327 thereby bringing him current.
11. That debtor is offering adequate protection and will maintain payments pursuant to the modified plan.

Wherefore, Debtor prays:

1. That the confirmed Chapter 13 plan section 6(b) is modified to include any outstanding post-petition mortgage payments.
2. That Nationstar Mortgage LLC dba Mr. Cooper is allowed to amend their claim to include any past due post-petition mortgage payments.
3. That the confirmed Chapter 13 plan section 2 is modified to increase the payment to \$675.00 per month.
4. Any other and such relief the court deems fair and just.

Dated: April 4, 2019

/s/

Calvin Eugene Jones, Debtor

/s/

Craig Black
GA Bar No.: 137410
The Craig Black Law Firm, LLC
5555 Glenridge Connector
Suite 200
Atlanta, GA 30348
678-888-1778
Attorney for the Debtor

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)	
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NOTICE OF HEARING

PLEASE TAKE NOTICE that Debtor has filed a Motion Modify Plan and related papers with the Court seeking an Order approving the motion.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion to Suspend Plan Payments at the **United States Courthouse, 75 Ted Turner Drive, Atlanta, Georgia, at 9:00AM on May 23,2019 in Courtroom 1202.**

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have any attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how, and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, U.S. Bankruptcy Court, 75 Ted Turner Drive, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: April 4, 2019

/s/ _____
Craig Black
GA Bar No.: 137410
The Craig Black Law Firm, LLC
5555 Glenridge Connector
Suite 200
Atlanta, GA 30348
678-888-1778
Attorney for the Debtor

Label Matrix for local noticing
113E-1
Case 17-70586-pmb
Northern District of Georgia
Atlanta
Tue Apr 9 09:48:25 EDT 2019

Heather D. Bock
McCalla Raymer Leibert Pierce LLC
1544 Old Alabama Road
Roswell, GA 30076-2102

Melissa J. Davey
Melissa J. Davey, Standing Ch 13 Trustee
Suite 200
260 Peachtree Street, NW
Atlanta, GA 30303-1236

(p)GEORGIA DEPARTMENT OF REVENUE
COMPLIANCE DIVISION
ARCS BANKRUPTCY
1800 CENTURY BLVD NE SUITE 9100
ATLANTA GA 30345-3202

A. Michelle Hart Ippoliti
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1544 Old Alabama Road
Roswell, GA 30076-2102

Calvin Eugene Jones
3585 River Rock Road
Lithonia, GA 30038-3387

Ciro A. Mestres
McCalla Raymer Leibert Pierce, LLC
1544 Old Alabama Road
Roswell, GA 30076-2102

Premier Bankcard, Llc
Jefferson Capital Systems LLC Assignee
Po Box 7999
Saint Cloud Mn 56302-7999

Rubin Lubin LLC
3145 Avalon Ridge Place
Suite 1000
Norcross, GA 30071-1570

Santander Consumer USA Inc.
P.O. Box 961245
Fort Worth, TX 76161-0244

Bayview Loan
4425 Ponce De Leon Blvd
Coral Gables, FL 33146-1837

COLLECTION RECEIVABLES , INC
1835 CENTRAL AVE
AUGUSTA, GA 30904-5734

ECMC
PO Box 16408
Saint Paul, MN 55116-0408

Georgia's Own Credit Union
PO Box 3637
Tallahassee, FL 32315-3637

Jefferson Capital System LLC
PO Box 772813
Chicago, IL 60677-0113

Legacy at Stony Creek HOA
2293 Brockett Road
Tucker, GA 30084-4400

(p)NATIONSTAR MORTGAGE LLC
PO BOX 619096
DALLAS TX 75261-9096

Prfrd Cus Ac
Cscl Dispute Team Po Box 14517
Des Moines, IA 50306-3517

Joshua M. Ryden
Aldridge Pite, LLP
Fifteen Piedmont Center
3575 Piedmont Rd NE Suite 500
Atlanta, GA 30305-1636

Santander Consumer Usa
PO Box 560284
Dallas, TX 75356-0284

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Atlanta, GA 30342-4740

Credit Acceptance Corp.
25505 West 12 Mile road
Southfield, MI 48034-8316

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104-4868

IRS
Centralized Insolvency Operation 19101-7
Post Office Box 7346
Philadelphia, PA 19101-7346

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

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1544 Old Alabama Road
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Atlanta, GA 30334-9057

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Norcross, GA 30071-1570

Santander Consumer Systems, LLC
P.O. Box 961245
Fort Worth, TX 76161-0244

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Sorenson Van Leuven C/O James Sorenson
PO Box 3673
Tallahassee, FL 32315-3673

South River Ridge HOAC/0 Century Mgmt
303 Corporate Center Drive
300A
Stockbridge, GA 30281-6303

(p) TIDEWATER FINANCE COMPANY
P O BOX 13306
CHESAPEAKE VA 23325-0306

U. S. Attorney
600 Richard B. Russell Bldg.
75 Ted Turner Drive, SW
Atlanta GA 30303-3315

Valencia Jones
3981 S River Lane
Ellenwood, GA 30294-3294

Valencia Jones
3981 South River Rock
Ellenwood, GA 30294-3294

Wells Fargo Bank, N.A.
PO Box 10438, MAC F8235-02F
Des Moines, IA 50306-0438

Wells Fargo Bank, N.A.
Po Box 10438
Des Moines, IA 50306-0438

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

GADOR
Georgia Department of Revenue Compliance
1800 Century Blvd NE, Suite 9100
Atlanta, GA 30345-3202

Jefferson Capital Systems LLC
PO Box 7999
St Cloud MN 56302-9617

(d) Jefferson Capital Systems LLC
PO Box 7999
St Cloud MN 56302-9617

(d) Jefferson Capital Systems, LLC
P.O. Box 7999
Saint Cloud, MN 56302

Nationstar Mortgage
350 Highland Dr
Lewisville, TX 75067

(d) Nationstar Mortgage LLC
Bankruptcy Department
P.O. Box 619096
Dallas, TX 75261-9741

(d) State of Georgia Revenue Commissioner
1800 Century Boulevard
Suite 15300
Atlanta, GA 30345

Tidewater Finance Company
PO Box 13306
Chesapeake, VA 23325

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Bayview Loan Servicing, LLC

(d) Collection Receivables
1835 Central Ave
Augusta, GA 30904-5734

(d) McCalla Raymer Pierce, LLC Bankruptcy Depa
1544 Old Alabama Road
Roswell, GA 30076-2102

(u) Nationstar Mortgage LLC

(u) Nationstar Mortgage LLC dba Mr. Cooper

(d) Santander Consumer USA, Inc.
P.O. Box 961245
Fort Worth, TX 76161-0244

(u)Valencia Jones
3981 S River Lane

End of Label Matrix	
Mailable recipients	37
Bypassed recipients	7
Total	44